

Hot Topics for ECOS Spring Meeting March 16-18, 2015

Region 1

CONNECTICUT (Commissioner Rob Klee)

- **State Implementation Plan (SIP) call for the New York City (NYC) ozone nonattainment area:** In May 2014, EPA proposed to rescind the clean data determination and to issue a SIP call for an attainment demonstration for the 1997 ozone standard for the NYC ozone nonattainment area (which includes portions of CT, NY, and NJ). Both CT and NJ submitted negative comments on the proposal. However, NY commented that they would like to take advantage of an option presented in the proposal to bump the NYC nonattainment area up from marginal to moderate for the 2008 ozone standard. Based on preliminary 2014 data, the area continues to violate the 1997 NAAQS with a design value of 85 parts per billion (ppb). Regions 1 and 2 have drafted responses to the comments we received from all three states and others, and are discussing next steps with OGC and OAQPS. The area will also not be meeting its July 20, 2015 attainment date for the 2008 ozone standard, and thus will be facing bump up for the 2008 standard in the future.
- **GE-Housatonic River (Massachusetts/Connecticut):** In May 2014, after consultation with our state counterparts, EPA Region 1 released a \$613 million cleanup plan for the Housatonic River "Rest of River" which runs through Massachusetts and Connecticut. The public comment period for the Draft Permit began in June 2014 and closed on October 27, 2014. The Region is currently evaluating the voluminous public comments on the proposal and is working towards issuing a Final Permit by the end of the year.
- **Raymark Industries (Stratford, CT):** EPA and CT DEEP have struggled for approximately 15 years to reach consensus with the community on the final cleanup plan for 24 commercial, municipal, and state properties. However, recent progress has been made on a potential comprehensive plan for the remaining Raymark properties and on a more expedited plan for the cleanup of one property necessary for a safety project at Sikorsky Airport.
- **Small MS4 General Permit for CT:** CT DEEP also released a draft small MS4 in 2014. The region, among others, submitted comments on the state's draft permit. DEEP received significant comments from the regulated community concerning the rigorousness of the requirements (frequency of street sweeping, catch basin cleaning, and outfall monitoring) and the associated compliance costs. Following meetings with stakeholders, DEEP is planning to release a revised draft which is more closely aligned with Region 1's proposed drafts. RI DEM is expected to propose a draft MS4 this fiscal year. The MS4 permits for Vermont and Maine are current.
- **Long Island Sound Dredged Material Disposal:** EPA is preparing a Supplemental Environmental Impact Statement (SEIS) to evaluate the potential designation of one or more dredged material disposal sites for the eastern Long Island Sound region. The state of Connecticut and the U.S. Navy strongly support EPA designation of a new site to replace the New London Disposal Site (NLDS), which closes in December 2016. EPA is on schedule to release a draft SEIS in the spring of 2015, followed by a final SEIS in 2016 and, if recommended by the SEIS, rulemaking to designate a new site also in 2016. New York has previously stated its opposition to the designation of a new site, and is pushing to "reduce or eliminate" dredged material disposal in Long Island Sound.

MAINE (Commissioner Pattie Aho)*No Hot Topics***MASSACHUSETTS** (Commissioner Martin Suuberg)

- **GE-Housatonic River (Massachusetts/Connecticut):** In May 2014, after consultation with our state counterparts, EPA Region 1 released a \$613 million cleanup plan for the Housatonic River “Rest of River” which runs through Massachusetts and Connecticut. The public comment period for the Draft Permit began in June 2014 and closed on October 27, 2014. The Region is currently evaluating the voluminous public comments on the proposal and is working towards issuing a Final Permit by the end of the year.
- **Pilgrim Nuclear Power Station (PNPS) draft NPDES Permit** Region I has a team actively working to renew PNPS’s NPDES permit. We are currently analyzing any adverse impacts due to the withdrawal of water used for cooling (CWA 316(b)) as well as potential technologies to address these impacts, impacts due to the discharge of heat (CWA 316(a)), and a variety of other permitting issues. Accounting for the new 316(b) rules requirements, particularly consulting with the Nuclear Regulatory Commission on safety related issues, has been a challenge. There continues to be a high level of congressional and environmental activist interest in the permit. Region expects to release a draft for public comment this fiscal year.
- **NPDES Permit Renewals - Taunton and Brockton:** Through the NPDES program, Region I is working to reduce the pervasive impacts of nutrients in the Taunton River basin. Permit renewals for the cities of Brockton and Taunton are the primary focus at this time. The region expects to issue a public notice for the draft permit for Brockton by mid-February. A key issue is whether the city should be granted a flow increase from 18 MGD to 20.5 MGD into an already extremely effluent-dominated tributary of the Taunton River. Discussions are ongoing with the Commonwealth of Massachusetts on this topic.

Additionally, the Region is near completion of a final permit for the City of Taunton. This permit will significantly reduce nutrient inputs to the Taunton River and Mt Hope Bay in a manner that is equitable in comparison to other plants in the basin. The schedule for plant upgrades needs to be resolved and discussions are continuing between Mayor Thomas Hoye, MA Commissioner Marty Suuberg and Regional Administrator Curt Spalding.

- **Cape Cod 208 Plan Update** MA Department of Environmental Protection and the Cape Cod Commission are updating the Cape’s regional wastewater management plan (208 Plan) to address widespread nutrient impairments resulting primarily from underground septic system discharges. The region is expected to receive the final plan this summer for approval. Issues still to be resolved include the need to: pilot innovative technologies to understand their performance, develop a regional monitoring strategy to evaluate the performance of new technologies and track restoration progress, identify nutrient reduction credits and use state watershed permitting, and designate waste management agencies to ensure implementation. EPA is seeking the new Governor’s and the state’s continued strong support of the plan. Since this is tied to a settlement filed on the Cape Cod TMDL litigation requiring quarterly reports to the U.S. District Court, it is important for state, county, and local governments to stay on schedule in submitting the plan to EPA and implementing it.

NEW HAMPSHIRE (Commissioner Tom Burack)

RHODE ISLAND (Director Janet Coit)

- **Centredale Manor Restoration Project Superfund Site, North Providence and Johnston, Rhode Island:** The site continues to be in extensive litigation. Another mediation session for this Site is planned for February with trial scheduled for early May 2015. No further discussion should be conducted.
- **Peterson/Puritan, Inc. Superfund Site, Cumberland/Lincoln, Rhode Island:** The public comment period for the Proposed Cleanup Plan for Operable Unit 2 of the Peterson/Puritan, Inc. Superfund Site, which commenced in July 2014, was concluded on January 23, 2015. Region I will be assessing all public comments received prior to issuance of a ROD planned for signature in 2015.

VERMONT (Secretary Deb Markowitz & Commissioner David Mears)

- **Lake Champlain TMDL:** EPA is developing a new phosphorus TMDL for Lake Champlain. Vermont would prefer that no reductions be required at any Wastewater Treatment Facilities. EPA has proposed to target reductions for wastewater treatment facilities to the segments where they constitute > 15% of the total load and provided the state with flexibility to reallocate reductions within any affected lake segment. A final allocation will be issued by the summer. Vermont may express concern at the proposed funding level for the Lake Champlain Basin Program in the 2016 President's Budget. We have already conveyed to Commissioner Mears that the Region's commitment to the Lake Champlain TMDL will remain as strong as ever.
- **Burlington, VT Brownfields Economic Revitalization Alliance (BERA) Project:** Among the major factors driving the redevelopment of Burlington's South End is the diversion of a major roadway through this area. This and other potential construction projects are complicated in part by the presence of contamination associated with the Pine Street Canal Superfund site (NPL) and adjacent brownfields properties. To coordinate the multiple federal, state, and local partners involved in a project of this scale, the State designated this area as a priority under its Brownfields Economic Revitalization Alliance (BERA) program. The Region's Superfund program continues to work with the BERA team to ensure that actions being planned do not adversely impact the site remedy. In addition, EPA has provided brownfields resources to assist with site assessment, cleanup and area-wide planning.

NEW JERSEY (Commissioner Bob Martin)

- **Passaic River:** EPA is currently reviewing public comments received on its proposed cleanup plan for the lower 8 miles of the Passaic River, one of the most polluted urban waterways in the country. We expect to sign a Record of Decision in 2015. The PRPs continue to vigorously lobby for an alternative remedy which will be much less extensive and much less costly.
- **Ringwood Mines (Superfund):** EPA recently signed a Record of Decision for cleanup of the Ringwood Mines Superfund site. The town has proposed to construct a recycling center over one of the contaminated areas, which would result in that contamination being capped in place, rather

Native American, do not.

- **Rahway Arch (cyanide sludge):** Capping of contamination at the Rahway Arch site is proceeding under a state permit. EPA, NGOs, and elected officials from New York have raised serious concerns about the engineering viability of this cap, and the potential for impacts to nearby waterways.

NEW YORK (Commissioner Joe Martens)

- **Hudson River (Superfund):** EPA is working to complete dredging of PCB contaminated sediment from the Hudson River Superfund site. Local environmental groups and residents have asked that additional areas of the Hudson be dredged. EPA does not believe that additional dredging is necessary. EPA recently came to agreement with the GE Corporation to conduct a study of potential contamination of Upper Hudson River flood plains. Dredging of the Hudson River should be completed by the end of 2015.
- **Gowanus Canal (Superfund):** EPA is working to complete the cleanup plan for the Gowanus Canal Superfund site in Brooklyn, New York y 2017. Upon completion of the cleanup plan dredging of the Gowanus Canal will start. The half billion dollar cleanup action should be completed by 2022. Public interest in cleanup of the canal remains very high.

PUERTO RICO (Environmental Quality Board President Rafael Roman)

- **Vieques cleanup:** EPA is working with the Puerto Rico Environmental Quality Board (EQB) in coordinating with the Navy to conduct environmental investigations of the Navy's previously-owned property naval firing range on Vieques Island to determine what cleanup actions are needed. Various areas of the island may be contaminated by solid and/or hazardous waste resulting from decades of military activity. Residents of Vieques remain concerned about unexploded ordinance and sufficient federal funding to undertake clean up actions.
- **Budget:** The Commonwealth of Puerto Rico is facing a severe financial crisis. In a recent court decision a federal judge struck down a law allowing Puerto Rico to restructure certain debts and declare bankruptcy. The court decision and financial circumstances have caused interest rates on Puerto Rico government debt to soar and could place Puerto Rico in greater danger of default. Federal legislation is expected to be introduced to allow bankruptcy of municipalities and public authorities.

U.S. VIRGIN ISLANDS (Acting Commissioner Jean-Pierre Oriol)

- **Grants:** EPA continues to work with the government of the USVI to improve their financial management systems to conform to the appropriate standards to expend and account for grant funds. EPA currently designates the USVI's DPNR as a "high-risk grantee."

REGION 3 MULTI-STATE

- **NPL Challenges:** The number of sites listed on the National Priorities List (NPL) in Region III has been declining in recent years, mainly due to state/District reluctance to concur on listing. This reluctance may be due to several factors including the perception of negative impacts on potential redevelopment, cost sharing burdens, lack of readily available federal funding for sites already on the NPL, and cleanup and/or the increasing interest in dealing with the sites through the State Voluntary Remediation Programs (VRPs).
- **PFOS/PFOA (Delaware/Pennsylvania):** Perfluorinated chemicals (PFCs), including perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) are currently being evaluated as part of the Unregulated Contaminant Monitoring Rule, which is used to collect data for contaminants suspected to be present in drinking water, but that do not have health-based standards set under the Safe Drinking Water Act. Region III is working with state and federal agencies throughout the Region to identify drinking water wells in the areas of the New Castle County Airport (Delaware), Dover Air Force Base (Delaware), Willow Grove (Pennsylvania), and Warminster (Pennsylvania) to determine if they have been impacted by PFCs, and to determine if additional actions are needed to protect human health and the environment.
- **Pipelines:** There is limited environmental assessment required in compliance with the National Environmental Policy Act for pipeline planning or construction; assessment is mostly performed by the Federal Energy Regulatory Commission, which typically relies on the less comprehensive study (EA) for NEPA compliance. EPA's authority to comment on proposed pipelines is generally limited to those inter-state pipelines subject to FERC jurisdiction. More than 40 projects (at various stages in the FERC process) are known to be underway in Region III. EPA has provided comment on approximately 10 projects.
- **Region III Pipeline Projects:** The current numbers, by state, of Region III pipeline projects in varying phases of the FERC process are: eleven in Pennsylvania, nine in Maryland, four in West Virginia and five in Virginia. Maryland currently has restricted Natural Gas Development.
- **Ozone Transport SIPs:** PA is considering and reviewing the ozone transport SIP submissions from Maryland, Delaware and DC for the 2008 ozone NAAQS. EPA is also in litigation in federal court presently concerning the failure of Pennsylvania, Virginia, and West Virginia to submit ozone transport SIPs for the 2008 ozone NAAQS. Maryland has appealed EPA's approval of Virginia's infrastructure SIP because EPA did not take action on the portion of the SIP related to transport. EPA has recently released preliminary modeling concerning the transport of ozone related to the 2008 ozone NAAQS and is discussing such modeling with the states.
- **Marcellus Shale Gas Activity:** Growth of UIC brine disposal wells and associated permit appeals in Pennsylvania by immediate community members, in part due to seismicity concern. Pennsylvania Governor Tom Wolf, who ran on a platform to introduce a new shale gas extraction tax, recently released results of a radioactive oil and gas waste study conducted under the prior administration. In Maryland, the prior administration proposed extensive revisions to oil and gas regulations to incorporate protective measures. In Region III the pace of well development has slowed due to oil price decline and abundant gas supply.

DELAWARE (Secretary David Small)

- **Governor's Water Quality Initiative:** Delaware Governor Jack Markell is continuing to work to obtain additional funding sources to address water quality issues in Delaware, but has so far been unsuccessful in receiving state legislative support for the initiative. The Governor is to be applauded

for his continuing efforts to improve the water quality in Delaware.

DISTRICT OF COLUMBIA (Director Tommy Wells)

No Hot Topics

MARYLAND (Secretary Ben Grumbles)

- **City of Baltimore SDWA Order on Consent:** Baltimore is under an Administrative Order on Consent to cover or replace five uncovered finished water reservoirs to protect the water from microbial contamination. Baltimore asked for an extension to a multi-year construction process after encountering community opposition to plans and technical challenges.
- **MD Phosphorus Management Tool (PMT) Regulations Pulled by Governor:** Governor Hogan has pulled the Phosphorus Management Tool regulations for further public review. MD committed to develop and implement these regulations to achieve the agricultural phosphorus reductions necessary to meet the Chesapeake Bay TMDL. In the event that the PMT is not implemented or further delayed, MD will need to develop alternate approaches and/or additional measures to ensure MD has the programs and funding in place to support farmers in properly managing phosphorus on agricultural lands based on the latest science. EPA Region III plans to send a letter to Governor Hogan, requesting a meeting with the new Administration to discuss.
- **Sparrows Point Terminal:** Once again, in partnership with the Maryland Department of the Environment, EPA Region III is facilitating the redevelopment of the former Bethlehem Steel plant at Sparrows Point in the Baltimore Harbor. A Settlement Agreement and Covenant Not to Sue between the United States (on behalf of the Environmental Protection Agency (EPA)) and Sparrows Point Terminal, LLC (SPT) became effective on November 24, 2014. EPA, MDE, and SPT are working diligently to implement the Settlement Agreement, which will help expedite investigation and cleanup at the Sparrows Point facility to promote its redevelopment. A public meeting will be held on February 26th to provide the community and interested parties an update on activities at the facility.

PENNSYLVANIA (Secretary John Quigley)

- **PA Agriculture is not on Track with Chesapeake Bay TMDL:** PA is relying on agriculture to achieve 75% of the nutrient reductions necessary to meet the TMDL. PA's ability to achieve its agricultural reduction targets is a critical piece to the Bay restoration, given the magnitude of PA agricultural pollution loads entering the Chesapeake Bay. EPA Region III will be meeting with the new PA leadership to discuss the findings of the EPA Animal Agriculture Program Assessment in PA (to be published by March 1), highlighting the need for PA to develop more comprehensive and effective nutrient management policies that address manure hot spots with adequate compliance monitoring and enforcement.
- **Shenango Coke Works:** On February 4, 2015, Regional Administrator Shawn M. Garvin met with a group of residents from Allegheny County, PA to hear their concerns about emissions from the Shenango Coke Works facility on Neville Island located in the Ohio River, which is northwest of downtown Pittsburgh. The EPA as well as the Allegheny County Health Department (ACHD) have outstanding enforcement agreements with Shenango to address Clean Air Act (CAA) emissions violations at the facility. EPA continues to work with ACHD on improving operations at the facility to achieve CAA compliance.

VIRGINIA (Director David Paylor)

- **Funding for Virginia Agricultural Conservation to Meet Chesapeake Bay TMDL is Insufficient:** The ability for VA to remain on track with meetings its agricultural nutrient and sediment reductions necessary for the Chesapeake Bay TMDL hinges on (1) adequate funding for conservation and (2) successful implementation of its innovative, voluntary programs on which VA is heavily relying. EPA Region III will be meeting with VA leadership to discuss the findings of the EPA Animal Agriculture Program Assessment in VA (to be published by March 1), highlighting the need for VA to secure the necessary funding to stay on track with its agricultural reductions for the Chesapeake Bay TMDL and successful implementation of its voluntary programs.

WEST VIRGINIA (Secretary Randy Huffman)

- **Surface Mining Permit Reviews:** EPA is conducting detailed reviews of surface mining permits in Appalachian states with the bulk of the new valley fill activities planned for West Virginia. EPA is working closely with mining states to ensure that NPDES 402 permits meet the CWA requirements and meet water quality standards. The West Virginia Legislator Auditor Office released a report that directly credits the Region III NPDES Mining Team as an integral component to the improved environmental conditions related to mining in the state.
- **Key Surface (Mountaintop) Mining Permit Reviews:** Region III continues to address the environmental issues regarding the Mountaintop Mining permits for the Buffalo Mountain/King Coal Highway Mine and the Spruce Mine.
- **West Virginia Tank Legislation:** In response to the Freedom Industries tank failure, on April 1, 2014, West Virginia Governor Earl Ray Tomblin signed West Virginia Senate Bill 373 enacting the Water Resource Protection Act. The Act established a new regulatory system for above ground storage tanks, requiring tanks to have a leak detection system, a spill prevention and spill response plan, and annual inspections. The Act also requires West Virginia public water utilities that rely on surface water to complete a source water protection plan by July 1, 2016. However, the oil and gas industry is backing a bill introduced on February 3, 2015, that would exclude all but about two percent of the above ground storage tank universe that Senate Bill 373 currently regulates. West Virginia DEP Secretary Randy Huffman has testified against the proposed bill before House and Senate Committees. Indications are that public sentiment against the bill is very strong and well organized.

ALABAMA (Director Lance LeFleur)

- **North Birmingham Environmental Collaboration Project:** The EPA is moving forward with a coordinated approach to evaluate the environmental conditions and potential environmental impacts, in certain areas of North Birmingham. This effort, which includes air, water and waste issues, is known as the North Birmingham Environmental Collaboration Project.
- **North Birmingham/Village Creek Watershed Management Plan:** The EPA Region 4 Water Protection Division (WPD) is working with the City of Birmingham and community members on a watershed plan for Village Creek. Region 4 WPD staff are attending Village Creek (VC) watershed progress status meetings being led by the City of Birmingham's Storm Water Administrator. The goal

is to complete the Village Creek Watershed Plan by December 2015 or early 2016. Also, EPA/ORD and the Region's WPD are providing support to the community under the Regional Sustainability and Environmental Sciences Research (RESES) program which will result in an EnviroAtlas of Jefferson County that will allow the City to make strategic choices about green infrastructure and development in the watershed. This includes a web-based storm water calculator that will provide cost-benefit analysis on green versus gray infrastructure.

- **Cleanup of Walter Coke:** Through a 2012 Resource Conservation and Recovery Action (RCRA) Section 3008(h) Order, EPA is working with Walter Coke on the effectiveness of ongoing groundwater interim measures and beginning its review of onsite final remedies recommended by the facility. In addition, given the community's interest in removing four million tons of onsite mineral/slag wool, EPA is also working with Walter Coke to identify potential end users of the material even though EPA does not have the authority to require removal of this particular stockpiled material.
- **Federal Reid Vapor Pressure (RVP)/Birmingham:** Alabama is requesting that EPA remove the Birmingham area from those areas subject to the Federal RVP requirements. EPA's proposed action to show that removal of this requirement from the Birmingham area will not interfere with meeting and maintaining air quality standards. This action was signed by Region 4's Administrator on February 4, 2015, and has been posted for public comment. This is the first step in the process. Once this action becomes final, EPA will need to take an action at the Administrator's level to remove the requirement.

FLORIDA (Secretary Jon Stevenson)

No Hot Topics

GEORGIA (Director Jud Turner)

- **Community Project: Proctor Creek Watershed, Atlanta, GA:** EPA Region 4 has identified the communities within the Proctor Creek watershed as a priority for EPA support and focus. The Proctor Creek communities have been adversely impacted by flooding, illegal tire dumping/litter, public health threats related to pathogens released from CSO and SSO discharges, lack of green jobs, the poor ecological health of the urban creek, and environmental justice issues associated with the gentrification of the watershed as new development is occurring. The Proctor Creek effort is being led by the R4 Water Protection Division with support from other R4 programs, including Air, Waste, and Environmental Justice. We are developing meaningful partnerships with local community leaders, the City of Atlanta, and the State of Georgia, as well as with NGOs, HBCUs in the watershed, the business community, local philanthropies, and corporate leaders. In addition, federal partnerships are being forged through EPA's Urban Waters Program, as well as through the FDOT's Ladders of Opportunities' Program, to begin to address the many issues faced by this environmentally over-burdened community.
- **Strong Cities Strong Communities (SC2)-Macon:** EPA is represented on the SC2 Macon Team. SC2 is a White House initiative with the purpose of leveraging Federal resources (staff and funding) to assist distressed cities. EPA is currently working with the SC2 identified community of Macon Bibb County by providing \$45,000 in technical assistance contract support to assist the Macon Bibb County Urban Development Authority as it re-develops a low income, minority neighborhood called Mill Hill. Macon Bibb County recently received a Smart Growth Building Blocks "Smart Growth 101"

workshop for local officials and is providing technical assistance to Macon Bibb County by helping them establish a solid waste management plan and recycling program.

KENTUCKY (Commissioner Bruce Scott)

- **Water Quality Standards Lawsuit:** Several environmental groups are suing EPA for its decision to approve KY's revised fish-tissue-based chronic selenium (Se) water quality criterion; changes to the definition of eutrophication; and the narrative water quality nutrient criteria. The lawsuit involves Clean Water Act and Endangered Species Act (ESA) claims. A settlement conference which included Kentucky personnel was held on January 29. EPA is working toward an April 15, 2015 date to submit a final biological evaluation of the impact of our decision to US Fish & Wildlife Service to initiate formal consultation under the ESA. Kentucky would like this lawsuit to be resolved quickly so that permits are not delayed.

MISSISSIPPI (Executive Director Gary Rikard)

- **Turkey Creek Watershed, Gulfport, MS:** EPA Region 4 has identified the communities within the Turkey Creek watershed as a priority for EPA support and focus. EJ communities in the Turkey Creek watershed have been actively engaged in addressing problems related to flooding, water quality, wetlands preservation, air quality, legacy pollution from multiple sources, housing choice and the lack of economic development and jobs. Region 4 worked with community leaders in Gulfport, MS on a vision for identifying and accessing resources to build a more resilient and sustainable community. EPA is committed to working with the community and state and local stakeholders to achieve sustainable results in the Turkey Creek watershed.
- **Mississippi Silicon Prevention of Significant Deterioration (PSD) Permit Air Quality Modeling:** EPA participated in a meeting with MS DEQ in their offices on February 5, 2015, to discuss outstanding air quality modeling issues related to the final PSD permit issued in November, 2014, to Mississippi Silicon.

NORTH CAROLINA (Secretary Don van der Vaart)

No Hot Topics

SOUTH CAROLINA (Director of Environmental Affairs Elizabeth Dieck)

No Hot Topics

TENNESSEE (Commissioner Bob Martineau)

- **TN SO2 NAAQS:** TN must submit an attainment demonstration for Sullivan County, Tennessee (the county surrounding the Eastman Chemical Facility (Eastman Chemical)). The area is designated nonattainment for the 1-hour SO2 standard. Eastman Chemical has made a significant capital investment concerning this demonstration. An alternative demonstration not approved by EPA was used by the company.

Region 5

ILLINOIS (Director Lisa Bonnett)

- Blowback on Proposed GLRI Budget Cut:** President Barack Obama's proposed budget for 2016 seeks what it calls a \$50 million modest reduction in the Great Lakes Restoration Initiative, a multiyear program to clean up the Great Lakes. The president's spending plan requests \$250 million for the GLRI, down from \$300 million appropriated for this year. The program focuses on the lakes' most serious long-term ecological challenges such as invasive species, toxic pollution, degraded fish and wildlife habitat, and runoff from farms and cities that causes toxic algae blooms. Obama created the program after taking office in 2009. About \$1.9 billion has been spent on about 2,000 projects region-wide. Last year, Great Lakes interests succeeded in restoring a proposed \$25 million cut in GLRI funding. U.S. senators from Great Lakes states are criticizing the proposed budget cutback. Michigan U.S. Sen. Debbie Stabenow said she was "extremely disappointed" with the budget and said she favors increasing it to \$475 million. Ohio Sen. Sherrod Brown says the algae blooms on Lake Erie and the water crisis in Toledo show this isn't the time to cut Great Lakes protection. Todd Ambs, campaign director of the Ann Arbor-based Healing Our Waters – Great Lakes Coalition, said in a statement the proposed cut is "unacceptable. This budget, for the Great Lakes, is a nonstarter," Ambs said. "We look forward to — once again — working with Republicans and Democrats in Congress to restore funding to Great Lakes protection efforts that are producing results for the environment and economy in communities across the region." The lakes provide drinking water to about 30 million people and are an economic pillar for eight states and two Canadian provinces. EPA "has made significant investments" in the Great Lakes cleanup effort over six years and would continue to do so under the proposed \$250 million budget, agency spokesperson Liz Purchia said. Acting Deputy Administrator Stan Meiburg said in a statement the GLRI budget "sends a strong signal the president is fully committed to making the investments needed to meet our mission to protect public health and the environment."
- Illinois Nuclear Shutdown Threatened:** Stopping a threatened economic meltdown of the Illinois nuclear power industry is now in the hands of Illinois state lawmakers. Chicago-based Exelon Nuclear has said it will be forced to close its Clinton Power Station, along with shuttering similar plants in Ogle County and Rock Island, if the state doesn't come up with policy changes to make the stations more profitable. EPA's proposed Clean Power Plan was supposed to be a boon to Illinois' six nuclear plants, but Exelon officials said there's been no effect in the power marketplace at all. Exelon has said the energy marketplace of today is unfair because its stations are having to compete with alternate power sources, such as wind energy, which enjoy tax breaks. Company officials said the nuclear plants deserve some sort of financial incentive for generating clean power that doesn't produce carbon dioxide emissions like coal plants do. The utility supports establishment of a "cap-and-trade" program, in which nuclear plants could earn credits that can be bought and sold for generating greenhouse gas-free power. Illinois' six nuclear power stations produce half of all the power generated in the state, and they crank out 90 percent of all the carbon emission-free power used by businesses and families.
- Clinton Landfill PCB Disposal:** In 2007, Clinton Landfill applied to EPA for approval under TSCA to dispose of PCB waste in its existing nonhazardous waste landfill #3, located in Clinton, in central Illinois. The application is highly controversial with residents and officials concerned about the possibility of PCBs leaking out of the landfill and into the underlying Mahomet Aquifer. After a 2011 public meeting on EPA's proposed approval, the Agency concluded more time was needed to further evaluate the hydrology of the site before rendering a decision. Meanwhile, last summer, then-Gov.

Pat Quinn directed the Illinois EPA to take action to block PCB waste from being stored at the Clinton Landfill. The IEPA is expected to announce this month it will issue a modified permit for the landfill.

- Chicago Area Waterway System Rulemaking:** Illinois is working to complete its rulemaking to update the Water Quality Standards applicable to the Chicago Area Waterway System and Lower Des Plaines River. First, the Illinois Pollution Control Board finalized new designated aquatic life uses and applied bacteria standards to the waters designated for primary contact recreation uses. Application of bacteria standards combined with the upcoming installation of disinfection at two Metropolitan Water Reclamation District plants and completion of the Thornton Reservoir to control Combined Sewer Overflows are expected to improve water quality in the CAWS within the next few years. Secondly, the Board has proposed revised water quality criteria for the CAWS/LDPR for the protection of human health and aquatic life. The regulated community has expressed concerns that some criteria may not be attainable, and EPA is concerned the proposed winter chloride criteria for the Chicago Sanitary Ship Canal are not scientifically defensible. The Board is weighing these issues and is likely to adopt new criteria in the next six months.
- Carbon Sequestration Setback:** The Department of Energy announced Feb. 3 it was suspending the on-again/off again FutureGen clean coal project in Southwestern Illinois. Last August, EPA approved the nation's first Class VI underground injection permits for carbon sequestration wells near Jacksonville, Illinois. The carbon dioxide would have come from a nearby retrofitted coal-fueled power plant. But the group of coal companies working with the government on the project couldn't meet this September's deadline to use a \$1 billion grant in federal stimulus money. Both Republican Illinois U.S. Sen. Mark Kirk and new Republican Gov. Bruce Rauner issued statements calling the cancellation of FutureGen "disappointing." But Kirk and Rauner said they will not give up their efforts on advancing clean-coal technology and bringing new jobs to Illinois. An earlier version of FutureGen was dropped by the Bush Administration due to escalating costs. A scaled-down version of FutureGen was revived under the Obama Administration in 2009, but several FutureGen Alliance members, including power companies, began dropping out of the project. Plans for another carbon sequestration well remain in the works for Archer Daniels Midland's ethanol plant in Decatur, Illinois. The Class VI permit for that well was approved last September.
- Officials Consider Lock Redesign to Stop Asian Carp:** Michigan Attorney General Bill Schuette expressed support Feb. 2 for modifying the Brandon Road Lock on the Des Plaines River in Joliet, Illinois, to create a "choke point" that will stop Asian carp from reaching Lake Michigan. Schuette is leading the five-state lawsuit (Michigan, Wisconsin, Minnesota, Ohio, and Pennsylvania) that attempted to force the Corps of Engineers to permanently separate the Chicago Waterway System from Lake Michigan. A federal appeals court last summer dismissed the lawsuit. The Army Corp is considering a new kind of "flushing lock" at Brandon Road that would potentially clean water of invasive species before a boat could pass through the system. Bills authorizing the work were introduced in the lame-duck Congress last December but did not advance. Upstream of the Brandon Road lock is an electric barrier that's supposed to keep the fish contained, but environmental groups and many officials don't trust it. Last October, a U.S. Fish and Wildlife Service sample testing found Asian carp genetic material in the downtown Chicago River, a block from Lake Michigan, but no individual fish have been found.
- State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of Honey bees and other Pollinators*. In their Managed Pollinator Protection Plans, states outline how

beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

INDIANA (Commissioner Tom Easterly)

- Blowback on Proposed GLRI Budget Cut:** President Barack Obama's proposed budget for 2016 seeks what it calls a \$50 million modest reduction in the Great Lakes Restoration Initiative, a multiyear program to clean up the Great Lakes. The president's spending plan requests \$250 million for the GLRI, down from \$300 million appropriated for this year. The program focuses on the lakes' most serious long-term ecological challenges such as invasive species, toxic pollution, degraded fish and wildlife habitat, and runoff from farms and cities that causes toxic algae blooms. Obama created the program after taking office in 2009. About \$1.9 billion has been spent on about 2,000 projects region-wide. Last year, Great Lakes interests succeeded in restoring a proposed \$25 million cut in GLRI funding. U.S. senators from Great Lakes states are criticizing the proposed budget cutback. Michigan U.S. Sen. Debbie Stabenow said she was "extremely disappointed" with the budget and said she favors increasing it to \$475 million. Ohio Sen. Sherrod Brown says the algae blooms on Lake Erie and the water crisis in Toledo show this isn't the time to cut Great Lakes protection. Todd Ambs, campaign director of the Ann Arbor-based Healing Our Waters – Great Lakes Coalition, said in a statement the proposed cut is "unacceptable. This budget, for the Great Lakes, is a nonstarter," Ambs said. "We look forward to — once again — working with Republicans and Democrats in Congress to restore funding to Great Lakes protection efforts that are producing results for the environment and economy in communities across the region." The lakes provide drinking water to about 30 million people and are an economic pillar for eight states and two Canadian provinces. EPA "has made significant investments" in the Great Lakes cleanup effort over six years and would continue to do so under the proposed \$250 million budget, agency spokesperson Liz Purchia said. Acting Deputy Administrator Stan Meiburg said in a statement the GLRI budget "sends a strong signal the president is fully committed to making the investments needed to meet our mission to protect public health and the environment."
- Town of Pines Arsenic Discovery:** EPA has been involved in pollution investigations in the Northwest Indiana Town of Pines for over a decade. A nearby power plant operated by NIPSCO dumped fly ash in a landfill near the town, which caused a contaminated groundwater plume that polluted water wells. Nearly 300 properties were connected to a municipal water supply while EPA continued to investigate ways to clean up the groundwater plume. In the last week of January, sampling done by NIPSCO revealed the presence of high levels of arsenic in seven Town of Pines yards. The utility says the arsenic poses no immediate health threat, but the discovery will trigger more sampling around town in the weeks to come. EPA will be supervising the sampling. ATSDR is also involved and will determine health risks from the newly discovered pollution. The utility sent out letters and fact sheets to residents informing them of the situation. EPA, ATSDR and the company will be holding a public meeting in February to discuss the latest news.
- State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of*

Honey bees and other Pollinators. In their Managed Pollinator Protection Plans, states outline how beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

MICHIGAN (Director Dan Wyant)

- **Officials Consider Lock Redesign to Stop Asian Carp:** Michigan Attorney General Bill Schuette expressed support Feb. 2 for modifying the Brandon Road lock on the Des Plaines River in Joliet, Ill., to create a "choke point" that will stop Asian carp from reaching Lake Michigan. Schuette is leading the five-state lawsuit (Michigan, Wisconsin, Minnesota, Ohio, Pennsylvania) that attempted to force the Corps of Engineers to permanently separate the Chicago Waterway System from the Great Lakes. A federal appeals court last summer dismissed the lawsuit. The Army Corp is considering a new kind of "flushing lock" at Brandon Road that would potentially clean water of invasive species before a boat could pass through the system. Bills authorizing the work were introduced in the lame duck Congress last December but did not advance. Upstream of the Brandon Road lock is an electric barrier that's supposed to keep the fish contained, but environmental groups and many officials don't trust it. Last October, a U.S. Fish and Wildlife Service sample testing found Asian carp genetic material in the downtown Chicago River, a block from Lake Michigan, but no individual fish have been found.
- **Revisions to Michigan's Clean Water Act Section 404 Program:** In 1984, Michigan assumed administration of permitting discharge of dredged and fill materials into wetlands and other waters of the United States under CWA Section 404. In 2013, Michigan Gov. Snyder signed Public Act 98, which was intended to deal with deficiencies in Michigan's 404 Program identified in a 2008 EPA program review. However, PA 98 also introduced other changes to the state's 404 program. EPA is reviewing the proposed program revisions brought about by PA 98. EPA received public comment on the changes and held a public hearing last year. EPA consulted with the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service and tribal organizations. Substantial program changes do not become effective until they are approved by EPA. At the conclusion of EPA's review, the Regional Administrator will make a decision on whether to approve or disapprove changes to Michigan's CWA Section 404 program.
- **Progress towards Cleanup Decision on Kalamazoo River:** The Allied Paper/Portage Creek/Kalamazoo River Superfund site includes four disposal areas, five former paper mill properties, and more than 80 miles of the Kalamazoo River and Portage Creek contaminated with PCBs. In November 2014, EPA approved the Feasibility Study report for Area 1 of the Kalamazoo River, which includes a 22-mile stretch from Morrow Dam to the former Plainwell Dam, and 2 miles of Portage Creek. The FS report details various final cleanup options for Area 1. EPA anticipates proposing a cleanup alternative for Area 1 of the Kalamazoo River this summer and making a final cleanup decision by fall. Community members will have the opportunity to comment on the proposed cleanup alternatives and other FS options during a public comment period. Four time-critical removal actions have been conducted since 1998 in this portion of the river and creek.
- **Allied Paper/Kalamazoo River Site:** EPA, Michigan Department of Environmental Quality and the city of Kalamazoo are collaborating on a new landfill configuration. The city is no longer pursuing

total removal of Allied Landfill, instead collaborating with EPA and MDEQ on new consolidation and capping configurations that maximize potential redevelopment at the property. The city met public groups and issued a press release in December 2014 regarding the city's reasons for changing its approach to the site. The city and resident groups had been loudly insisting on total removal. Feedback on the new approach has been supportive. On Feb. 26, EPA and MDEQ will participate in a public meeting hosted by the city. Based on public input, EPA will add one of the new "redevelopment configurations" to the Feasibility Study as an addendum and issue a proposed cleanup plan this summer.

- **Blowback on Proposed GLRI Budget Cut:** President Barack Obama's proposed budget for 2016 seeks what it calls a \$50 million modest reduction in the Great Lakes Restoration Initiative, a multiyear program to clean up the Great Lakes. The president's spending plan requests \$250 million for the GLRI, down from \$300 million appropriated for this year. The program focuses on the lakes' most serious long-term ecological challenges such as invasive species, toxic pollution, degraded fish and wildlife habitat, and runoff from farms and cities that causes toxic algae blooms. Obama created the program after taking office in 2009. About \$1.9 billion has been spent on about 2,000 projects region-wide. Last year, Great Lakes interests succeeded in restoring a proposed \$25 million cut in GLRI funding. U.S. senators from Great Lakes states are criticizing the proposed budget cutback. Michigan U.S. Sen. Debbie Stabenow said she was "extremely disappointed" with the budget and said she favors increasing it to \$475 million. Ohio Sen. Sherrod Brown says the algae blooms on Lake Erie and the water crisis in Toledo show this isn't the time to cut Great Lakes protection. Todd Ambs, campaign director of the Ann Arbor-based Healing Our Waters – Great Lakes Coalition, said in a statement the proposed cut is "unacceptable. This budget, for the Great Lakes, is a nonstarter. We look forward to — once again — working with Republicans and Democrats in Congress to restore funding to Great Lakes protection efforts that are producing results for the environment and economy in communities across the region." The lakes provide drinking water to about 30 million people and are an economic pillar for eight states and two Canadian provinces. EPA "has made significant investments" in the Great Lakes cleanup effort over six years and would continue to do so under the proposed \$250 million budget, agency spokesperson Liz Purchia said. Acting Deputy Administrator Stan Meiburg said in a statement the GLRI budget "sends a strong signal the president is fully committed to making the investments needed to meet our mission to protect public health and the environment."
- **Velsicol Chemical Site:** EPA continues to implement the cleanup. Ongoing activities include cleanup of residential homes with soil contamination, replacement of the city of St. Louis, Michigan's, municipal drinking water supply and design tasks for the former chemical plant site. EPA and the state are working together to resolve any issues on the cleanup with the city of St. Louis and the community. In 2014, EPA spent over \$17 million on the cleanup. **Related - Velsicol Burn Pit Site:** Last November EPA announced and took public comments on its preferred cleanup alternative, which includes thermal treatment of Non-Aqueous Phase Liquids and contaminated groundwater; extending municipal water to nine nearby residences; a soil cover; and institutional controls. The estimated cost of the cleanup is \$22 million. The extended public comment period has closed, and EPA is reviewing and responding to the comments. Some in the community have called for more detailed information regarding the cleanup and prefer total excavation at a cost of over \$100 million.
- **State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of*

Honey bees and other Pollinators. In their Managed Pollinator Protection Plans, states outline how beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

MINNESOTA (Commissioner John Linc Stine)

- **NorthMet Mine Supplemental Draft EIS:** In March 2014, EPA commented on the Supplemental Draft Environmental Impact Statement for this controversial proposed copper/nickel open pit mine in northern Minnesota. EPA rated the Supplemental Draft EIS as “Environmental Concerns – Insufficient Information.” Among key issues, we cited water quality concerns with wetlands. But the Supplemental EIS was much better than a 2010 draft EIS that was rated “Environmentally unsatisfactory-inadequate EIS.” EPA continues to work with the co-lead agencies (Corps of Engineers, US Forest Service, and Minnesota Department of Natural Resources) on the remaining issues, some of which will be resolved in permitting. The co-lead agencies received over 58,000 comments on the Supplemental Draft EIS. EPA’s goal is to resolve all non-permitting issues prior to issuance of a preliminary Final EIS to EPA and the cooperating tribes. The preliminary version of the Final EIS could be ready this spring, and EPA will comment on it. EPA will also comment on the draft Clean Water Act Section 404 permit (Corps lead) and air and surface water permits (Minnesota Pollution Control Agency lead).
- **Blowback on Proposed GLRI Budget Cut:** President Barack Obama's proposed budget for 2016 seeks what it calls a \$50 million modest reduction in the Great Lakes Restoration Initiative, a multiyear program to clean up the Great Lakes. The president's spending plan requests \$250 million for the GLRI, down from \$300 million appropriated for this year. The program focuses on the lakes' most serious long-term ecological challenges such as invasive species, toxic pollution, degraded fish and wildlife habitat, and runoff from farms and cities that causes toxic algae blooms. Obama created the program after taking office in 2009. About \$1.9 billion has been spent on about 2,000 projects region-wide. Last year, Great Lakes interests succeeded in restoring a proposed \$25 million cut in GLRI funding. U.S. senators from Great Lakes states are criticizing the proposed budget cutback. Michigan U.S. Sen. Debbie Stabenow said she was "extremely disappointed" with the budget and said she favors increasing it to \$475 million. Ohio Sen. Sherrod Brown says the algae blooms on Lake Erie and the water crisis in Toledo show this isn't the time to cut Great Lakes protection. Todd Ambs, campaign director of the Ann Arbor-based Healing Our Waters – Great Lakes Coalition, said in a statement the proposed cut is “unacceptable. This budget, for the Great Lakes, is a nonstarter,” Ambs said. “We look forward to — once again — working with Republicans and Democrats in Congress to restore funding to Great Lakes protection efforts that are producing results for the environment and economy in communities across the region.” The lakes provide drinking water to about 30 million people and are an economic pillar for eight states and two Canadian provinces. EPA “has made significant investments” in the Great Lakes cleanup effort over six years and would continue to do so under the proposed \$250 million budget, agency spokesperson Liz Purchia said. Acting Deputy Administrator Stan Meiburg said in a statement the GLRI budget “sends a strong signal the president is fully committed to making the investments needed to meet our mission to protect public health and the environment.”

- **Reissuance of Expired NPDES Permits for Taconite Mining Operations:** EPA and Minnesota Pollution Control Agency have agreed to a joint priority to modernize NPDES permits for mining operations. The majority of the NPDES permits for existing mining facilities in Minnesota are expired. All of the facilities have direct surface water discharges. Based on preliminary information obtained by EPA, many of these facilities have discharges to surface waters that occur via hydrologically connected groundwater. The MPCA has begun to work to reissue only one expired permit and is not planning to address the discharges to surface waters occurring via hydrologically connected groundwater under its approved NPDES program. EPA has stated by letter that all of the discharges to surface waters require coverage under an NPDES permit in order to be in compliance with the Clean Water Act. **CWA Section 404 Permits:** In some cases, expansions of mining activities require CWA Section 404 permits for discharges of fill material, and these are subject to permitting by the Army Corps of Engineers with review by EPA. EPA is working to coordinate its reviews of mining operations under NPDES and CWA Section 404.
- **EPA Stops GLRI Funding for Lake Superior Outreach Group:** EPA Region 5 has decided to stop using federal Great Lakes Restoration Initiative money to help fund the Lake Superior Binational Forum. GLRI money has gone to the organization for a number of years. The Forum based at Northland College in Ashland, Wisconsin, is a non-governmental group that educates and takes input from residents in the Lake Superior basin about environmental issues. EPA decided to stop the funding for a number of reasons including the need to focus on actual shoreline and water projects and the desire to shift outreach and education on Great Lakes issues to states, tribes and non-governmental groups. Canada stopped contributing to the Lake Superior Binational Forum in 2012. EPA contributed \$100,000 to the forum in 2014. Ending the funding caused some negative reaction. The Region 5 Administrator has answered a number of letters from elected representatives and others asking about this decision.
- **St. Regis Paper Co. Superfund Site (Cass Lake):** In spring 2015, EPA plans to announce and take public comments on its preferred cleanup alternative for dioxin-contaminated soil at this former wood-treating facility. Although the site is wholly within the Leech Lake Indian Reservation, EPA is actively working with both MPCA and the Leech Lake Band of Ojibwe as support agency partners to address state and tribal concerns. An early cleanup plan was highly controversial, but EPA, the state, the tribe and PRPs have reached a consensus on the latest cleanup proposal.
- **State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of Honey bees and other Pollinators*. In their Managed Pollinator Protection Plans, states outline how beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

OHIO (Director Craig Butler)

- **Ohio Clean Power Plan Situation:** Ohio state government is officially against U.S. EPA's Clean Power Plan. Ohio Attorney General Mike DeWine argued in a lawsuit the proposed regulations are illegal and unaffordable. The Ohio Public Utility Commission and Ohio EPA also oppose the Clean Power

Plan, which directs the state to cut its emissions by 29 percent by 2030. Ohio derives 80 percent of its electricity from fossil fuels.

- Lake Erie Algal Blooms:** Gov. John Kasich and Ohio lawmakers are proposing new steps the state can take to combat harmful algal blooms on Lake Erie. A HAB last August shut down the entire Toledo-area water supply for three days. Toledo Mayor Michael Collins told a meeting of the U.S. Conference of Mayors in mid-January that U.S. EPA was “invisible” during that crisis, even though staff from the federal Agency provided testing expertise and worked with Ohio EPA. Collins, by the way, suffered a serious heart attack while driving during the Feb. 1 blizzard and is currently in critical condition. Meanwhile, the governor proposed prohibiting spreading manure on frozen- and rain-soaked ground in the Western Lake Erie Basin unless injection, tillage or cover crops are used, and eliminating all open-lake dredging and disposal by 2020. As part of the governor’s program, the Ohio EPA wants to modify wastewater discharge permits for major public water treatment plants and continue to limit phosphorous discharges. State Senate Bill One provides a ban on applying fertilizer and manure on frozen ground and includes a provision creating a new Office of Harmful Algae Management and Response at the Ohio EPA to coordinate efforts against harmful algal blooms. The bill also includes provision transferring the Agriculture Pollution Abatement Program from the Ohio Department of Natural Resources to the state Department of Agriculture.
- Blowback on Proposed GLRI Budget Cut:** President Barack Obama's proposed budget for 2016 seeks what it calls a \$50 million modest reduction in the Great Lakes Restoration Initiative, a multiyear program to clean up the Great Lakes. The president's spending plan requests \$250 million for the GLRI, down from \$300 million appropriated for this year. The program focuses on the lakes' most serious long-term ecological challenges such as invasive species, toxic pollution, degraded fish and wildlife habitat, and runoff from farms and cities that causes toxic algae blooms. Obama created the program after taking office in 2009. About \$1.9 billion has been spent on about 2,000 projects region-wide. Last year, Great Lakes interests succeeded in restoring a proposed \$25 million cut in GLRI funding. U.S. senators from Great Lakes states are criticizing the proposed budget cutback. Michigan U.S. Sen. Debbie Stabenow said she was "extremely disappointed" with the budget and said she favors increasing it to \$475 million. Ohio Sen. Sherrod Brown says the algae blooms on Lake Erie and the water crisis in Toledo show this isn't the time to cut Great Lakes protection. Todd Ambs, campaign director of the Ann Arbor-based Healing Our Waters – Great Lakes Coalition, said in a statement the proposed cut is “unacceptable. This budget, for the Great Lakes, is a nonstarter,” Ambs said. “We look forward to — once again — working with Republicans and Democrats in Congress to restore funding to Great Lakes protection efforts that are producing results for the environment and economy in communities across the region.” The lakes provide drinking water to about 30 million people and are an economic pillar for eight states and two Canadian provinces. EPA “has made significant investments” in the Great Lakes cleanup effort over six years and would continue to do so under the proposed \$250 million budget, agency spokesperson Liz Purchia said. Acting Deputy Administrator Stan Meiburg said in a statement the GLRI budget “sends a strong signal the president is fully committed to making the investments needed to meet our mission to protect public health and the environment.”
- NPDES permits for coal mining operations:** Over the last few years, EPA has reviewed, and where necessary, objected to NPDES permits for existing and new coal mining operations proposed by Ohio EPA under its approved NPDES program. EPA objected to the OEPA’s proposed NPDES permit for a coal refuse site related to Murray Energy’s Century Mine. The company has since withdrawn its application. **CWA Section 404 Permits:** While Region 5 has seen reduced permitting activity for coal mining under CWA Section 404 compared with past years, Region 5 has commented on a number of

proposed actions recently. In addition, Region 5 continues to monitor the situation regarding Murray Energy's proposed coal slurry impoundment (Ohio Valley Coal) following the Region's objection to the proposed 404 permit in 2010. In July 2014, the Army Corps of Engineers instructed the company to withdraw its application for the permit, citing the Mine Safety and Health Administration's approval to raise an existing impoundment, thereby eliminating the need for a new impoundment. The company also failed to submit an adequate mitigation plan for the proposed impoundment despite numerous requests from the Corps.

- **State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of Honey bees and other Pollinators*. In their Managed Pollinator Protection Plans, states outline how beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

WISCONSIN (Secretary Cathy Stepp)

- **EPA Stops GLRI Funding for Lake Superior Outreach Group:** EPA Region 5 has decided to stop using federal Great Lakes Restoration Initiative money to help fund the Lake Superior Binational Forum after providing the group with money for a number of years. The forum based at Northland College in Ashland, Wisconsin, is a non-governmental group that educates and takes input from residents in the Lake Superior basin about environmental issues. EPA decided to stop the funding for a number of reasons including the need to focus on actual shoreline and water projects and the desire to shift outreach and education on Great Lakes issues to states, tribes and non-governmental groups. Canada stopped contributing to the Lake Superior Binational Forum in 2012. EPA contributed \$100,000 to the forum in 2014. Ending the funding caused some negative reaction. The Region 5 Administrator has answered a number of letters from elected representatives and others asking about the decision.
- **Gogebic Taconite Slowing Mine Project:** Gogebic Taconite's field explorations for a highly controversial open pit iron ore mine just south of Lake Superior in Northern Wisconsin have come to standstill as company officials consider redesigning the project in the face of mounting obstacles and falling taconite prices. The Florida-based company has parted ways with its consultants and is now analyzing data gathered last year. Company lobbyist Bob Seitz said the mine remains a go, but it faces formidable hurdles, ranging from fierce local opposition to new concerns federal environmental regulators could step in and halt the project. Gogebic wants to dig a 4½-mile long iron mine straddling the Iron and Ashland county line in the Penoque Hills. The project has been one of Wisconsin's hottest environmental issues in decades. The company promises the mine will create hundreds of jobs in the impoverished region, but conservationists fear it would pollute one of Wisconsin's last pristine areas, and the Bad River Band of Lake Superior Chippewa say the mine will poison their wild rice beds and ruin fishing. Republicans who control the State Legislature passed a bill in 2013 relaxing Wisconsin's mining regulations to kick-start the project. Gogebic workers have been taking ore samples and mapping out wetlands around the mine site. The Ashland and Iron county boards have passed or are considering restrictive ordinances concerning the mine. EPA's

Department of Natural Resources will produce its own EIS for state permits. The lobbyist said the company is most worried EPA might step in and shut the project down before it starts based on the precedence of a similar Alaska case. In that situation, the Agency last summer under the Clean Water Act severely restricted plans for a gold and copper mine in Alaska because of its projected effects on tribal lands. The Wisconsin Chippewa did ask the Region 5 Administrator to initiate an action under Section 404, but the RA prefers setting up a collaborative process to gather and share existing environmental data for the Lake Superior basin. Since Gogebic is slowing down its survey work, nothing major is expected to happen on the regulatory fronts until at least this fall.

- **State Pollinator Protection Plans for Pesticides:** State pesticide regulators working through their national organizations are developing managed pollinator protection plans according to the Presidential Memorandum of June 2014: *Creating a Federal Strategy to Promote the Health of Honey bees and other Pollinators*. In their Managed Pollinator Protection Plans, states outline how beekeepers, growers and pesticide applicators will work cooperatively to protect pollinators while using pesticides strategically. EPA officials believe the state plans are an effective way to mitigate exposure and risk concerns related to pesticides and pollinators and strongly encourage states to develop such plans. Although the plans are not required under the FIFRA Cooperative Agreements with states, EPA is considering including this at a future date, possibly including additional funding for states and tribes to develop managed pollinator plans.

REGION 6 MULTI-STATE

- **Clean Power Plan:** The governors of New Mexico and Oklahoma signed a group letter with 13 other governors in opposition to the proposed rule; Louisiana and Oklahoma joined a group of 12 states suing over the proposed rule.

ARKANSAS (Director Becky Keogh)

- **Georgia Pacific Crossett facility, Crossett, AR:** Crossett, Arkansas, has a population of about 5,500 residents and is located in southeastern Arkansas just nine miles north of the state's border with Louisiana. Residents from one of Crossett's predominantly African-American neighborhoods have complained for many years about air emissions and water discharges from the Georgia-Pacific LLC paper facility (GP). The facility complex includes a paper mill, plywood mill (currently inactive), and two chemical plants. EPA's National Enforcement Investigation Center (NEIC) is conducting a multimedia investigation, including sampling, for a two week period (February 2-13, 2015) at the Georgia Pacific Crossett facility(ies).

LOUISIANA (Secretary Peggy Hatch)

- **Churchill Downs Louisiana Horseracing Company, L.L.C. (Churchill Downs):** Churchill Downs maintains and stables about 1900 horses and is defined as a large CAFO. Churchill Downs is significantly contributing to nutrient and bacteria pollution in Lake Pontchartrain. EPA approved TMDLs for Fecal Coliform bacteria on 3/28/12 for Lake Pontchartrain basin, including the drainage canals. During a 6/19/14, meeting with EPA, Sewerage and Water Board of New Orleans (SWBNO) expressed concern about the impact of Churchill Downs on water quality in Lake Pontchartrain

basin. SWBNO indicated that Churchill Downs needs to identify and isolate the sources of the bacteria contamination, and consider treatment options. SWBNO also said it would not support Churchill Downs' permit variance request. *On 9/9/2014, EPA issued a Cease and Desist Order (AO) requesting information about Churchill Down's ongoing sampling activities/studies to identify and isolate sources of bacterial contamination at its facility.* Churchill Downs must comply with EPA's AO by designing and implementing a wastewater and storm water management plan that is consistent with its CAFO permit requirements and the federal CAFO regulations. Community concerns related to this case include drainage and ponding issues after heavy rainfall events. Also, there are potential EJ concerns for the communities adjacent to this facility. The next meeting between EPA and Churchill Downs is scheduled on 02/11/15.

NEW MEXICO (Secretary Ryan Flynn)

- **Chevron Questa Mine Superfund Site:** The mine closure on June 2, 2014, triggers regulatory obligations for Chevron Mining Inc. under State law, and it is critical to identify the path forward for implementing CMI's regulatory obligations under both CERCLA and New Mexico laws and regulations. EPA will continue negotiations with Chevron Mining Inc. and Chevron Environmental Management Company for continued mine cleanup work; continue early remedy design work under the September 25, 2012, Administrative Order on Consent and the two subsequent AOC amendments; and, continue removal action cleanup of Eagle Rock Lake.
- **Homestake Mining Company Site, Cibola County, NM:** The Homestake Mining Company (Homestake) Uranium Mill NPL site (Site) is located 5.5 miles north of Milan, NM. It consists of a large tailings pile (LTP) that covers 200 acres in area and is approximately 100 feet high and contains 21 million tons of uranium mill tailings. The Site also contains a small tailing pile (STP) covering 40 acres and containing 1.2 million tons of tailing. Tailing seepage has contaminated the ground water at the Site. EPA placed the Site on the NPL in 1983. In light of the efforts by NMED and the NRC to remediate ground water at that time, EPA elected not to conduct response actions for the ground water. EPA issued a No Action Record of Decision (ROD) in 1989 for off-Site Radon. Although Radon levels were elevated, EPA believed that they represented background levels that could not be attributed to the Site at that time. The community believes cleanup is too slow, and they are upset with decision by NMED, NRC and EPA to allow the aquifers to background levels they think are too high. The community requests EPA remove LTP away (as was done at DOE site in Moab, UT) because of air and ground water impacts. EPA is listening and working with community through periodic calls/meetings with BVDA/MASE members to discuss Site activities and community concerns; EPA is providing Technical Assistance for Community Services (TASC) to BVDA; EPA continuing to ensure safety of human health by taking removal action at the site; and, EPA monitoring site activities and reviewing actions to ensure compliance with NCP. The next meeting is planned for March 5, 2015.
- **NM Abandoned Uranium Mines - Tronox Settlement:** Tronox was created in 2003 as a spinout of Kerr McGee and was saddled with massive environmental and legal liabilities. Tronox filed bankruptcy and filed a fraudulent conveyance suit against Kerr McGee and its successor, Anadarko. The U.S. Department of Justice finalized a \$5.2 billion settlement with Kerr McGee and Anadarko on January 23, 2015. EPA will receive approximately \$985 million of the settlement to address legacy human health and environmental impacts at uranium mine sites in NM and on the Navajo Nation. EPA will receive approximately \$985 million to fund the cleanup of approximately 49 abandoned uranium mines in NM and on the Navajo Nation. Of the 49 mines, 22 mines in NM were identified in the Tronox Settlement. EPA Regions 6 and 9, along with the Navajo Nation EPA and New Mexico

Environmental Department and New Mexico Energy, Minerals and Natural Resources Department met on January 22 and 23, 2015, and identified project activities and goals for 2015 at the abandoned uranium mines. NM projects include environmental assessments of select mines and continuing activities targeted at assessing the mining impacts to groundwater.

- **Uranium Removal Activities in New Mexico:** EPA has been conducting residential assessments near the former uranium mines in NM. EPA also has been conducting assessments in San Mateo, Bluewater, near the Homestake Uranium Mill in Milan, Bibo, Seboyeta, and Moquino. Lastly, EPA has also conducted surveys and residential removal actions on Laguna Pueblo and Acoma Pueblo. EPA personnel have been conducting residential assessments since December 2009 in Cibola and McKinley Counties New Mexico in the Grants Mineral Belt. EPA conducted 917 residential assessments, and cleaned up 151 properties.
- **Kirtland Air Force Base (KAFB), Albuquerque – Bulk Fuels Facility Fuel Spill:** In 1999, a long-term release of millions of gallons of jet fuel and aviation gasoline (avgas) was discovered in underground pipelines at the Bulk Fuels Facility at KAFB. Ethylene dibromide (EDB) is a component of avgas. Fuels have percolated 500 feet down to the drinking water aquifer and remain a continuing source of groundwater contamination. The dissolved phase EDB plume is flowing towards several Albuquerque Bernalillo County Water Utility Authority drinking water supply wells. RCRA Corrective Action is under KAFB's hazardous waste permit. The NMED is the lead regulatory agency. On December 19, 2014, NMED issued a draft Strategic Plan for the fuel spill for public comment. The Strategic Plan identifies five "critical goals" and describes how NMED and KAFB plan to meet these goals in 2015 and beyond. The comment period ended January 30. Sentinel and monitoring well construction is underway and scheduled for completion in 2015. KAFB proposed a phased pump and treat interim measure to "collapse" the EDB plume back to the base boundary. EPA anticipates one extraction well operating by June 2015, three additional extraction wells operating by September 2015 and, up to four additional wells on-line by August 2016 (~800 GPM total). EPA Region 6 is providing numerical groundwater flow and mass transport modeling assistance to NMED, at their request. The EPA is coordinating with the Air Force, USGS, NMED and others on continued model development.

OKLAHOMA (Executive Director Scott Thompson and Secretary of Energy and Environment Mike Teague)

- **Drought in OK:** Over the last four years, extreme drought stricken Oklahoma communities battle depleting drinking water sources. In response to the current loss of community source-water, the Oklahoma Department of Environmental Quality (ODEQ) is working to develop an array of drought response actions supporting these systems. Water resources in western Oklahoma are stretched thin, primarily due to a lack of water availability due to the drought and water loss from aging infrastructure. The water loss audit program will look at between 15-30 water systems by conducting a water loss audit, determine causes of water loss, and assist in creating a capital improvement plan to reduce water loss. A working group was formed with members from the DEQ, various municipalities, technical experts from engineering firms, and members of the public to develop water reuse regulations for the State. ODEQ is currently piloting a Water Loss Audit program funded by the Source Water Protection set-aside from the DWSRF grant.
- **Induced Seismicity:** Over the last several years, there have been abrupt increases in earthquakes in some oil and gas production areas. These areas include Arkansas, Oklahoma, and Texas, as well as other oil and gas producing states. Of particular note is a dramatic increase in both the numbers of

earthquakes in Oklahoma, and their magnitudes. To address this problem, EPA developed the EPA-State Underground Injection Control (UIC) National Technical Workgroup (NTW) report, *Minimizing and Managing Potential Impacts of Injection-Induced Seismicity from Class II Disposal Wells: Practical Approaches*. This report was developed cooperatively with state members of the workgroup to protect underground sources of drinking water. The induced seismicity report will be a valuable tool for UIC program managers addressing induced seismicity. Seismic events due to underground injection are rare, occurring in less than one percent of disposal wells. The final report will be released this month (February 2015). The Oklahoma Corporation Commission has rules in place to require oil and gas producers to cease the injection of wastes into geologic formations (referred to as shut-in) if evidence suggests the disposal is triggering seismic activity. OCC exercised this authority on February 3, 2015, when it required a shut-in in Alfalfa County.

- **Hydraulic fracturing protective practices forum with NGA:** The Administrator's announcement of a protective practices forum (March 5-6) cosponsored with NGA came out of discussions with several states including OK's Deputy Secretary for Energy and the Environment, Craig Sundstrom, who had worked with NGA. The forum will showcase measures and approaches currently undertaken or for which research has shown could be implemented and lead to superior performance in the field. For the last 6 to 8 months, EPA has held discussions with OK, PA, CO, ND on how to raise performance (beyond regulatory compliance) by companies engaged in hydraulic fracturing (unconventional oil & gas exploration and production). NGA has an existing mechanism to highlight creative and successful approaches to better state governance. The upcoming forum builds on that mechanism. The forum will focus are these potential incidences of environmental impact from hydraulic fracturing: Availability of Fresh Water and Drinking Water Resources; Potential for Subsurface Chemical Contamination; Surface Contamination with Hydraulic Fracturing Chemicals and Hydraulic Fracturing Fluid; Surface Contamination with UOG Wastewater; Surface Contamination with Chemicals and Other Materials Stored Onsite; and Surface Contamination from Onsite Storage of Drill Cuttings and Other Solids. A follow-up forum with investors, insurance companies, production companies, and regulators focused on verification of best practices is slated for later in Spring 2015 (May?).
- **Tar Creek Superfund Site, Ottawa County:** Significant progress continues to be made at Tar Creek. In tandem with the efforts of ODEQ and the County Health Department and the remediation of over 2 thousand residential properties, the blood lead level of children is below the National average. The voluntary buyout of the towns of Picher, Cardin, and Hockerville have greatly reduced the chances of exposure. With the threat of exposure greatly reduced, the remedy addressing mine and mill waste can be performed over a longer period. Region 6 negotiated a \$2.6 million cooperative agreement with the Quapaw Tribe Environmental Office to conduct the remediation of a 40 acre parcel of tribal land known as the 'Catholic 40' within the Tar Creek Superfund Site. This is the first time that a Tribe is carrying out a Superfund Remedial Action in the U.S. EPA is also working with EPA-HQs' Optimization Team and the stakeholders involved with OU4 to prioritize contaminated areas in flood zones, near waterways, and in riparian areas.
- **OK disagrees with EPA's position on RCRA Land Disposal Restrictions "put piles":** The RCRA permit for Oklahoma's largest land disposal facility, Clean Harbors Lone Mountain, states that the facility must comply with the land disposal restriction regulations which prohibit land disposal until waste meets treatment standards, however, the Waste Analysis Plan, an attachment to the permit, states that treated waste will be placed within the boundaries of the land disposal unit until testing confirms that the waste meets treatment standards, and will be re-treated if it does not. The Oklahoma Department of Environmental Quality's 6/6/14 response to EPA's memo opposes EPA's position, claiming put piles placed within the boundaries of a permitted land disposal unit are

economical and environmentally safe. State Senate bill 482 introduced in the 2015 session would allow for the temporary placement – put piles, which could potentially lead to program authorization issues.

TEXAS (Commissioner Bryan Shaw)

- **Drought in TX:** Over the last four years, extreme drought-stricken Texas communities battle depleting drinking water sources. Texas areas especially challenged include the panhandle, the lower Rio Grande river valley, and west Texas. In response to the current loss of community source-water, the TCEQ has a full time drought mitigation team that have an array of drought response actions supporting these systems. Direct potable reuse (DPR) has become a Texas extreme drought solution, predominantly in the southwest, that is increasingly accepted. DPR is the process of treating wastewater to drinkable standards and returning it to the raw water supply without the use of an environmental buffer. Currently, there are four on-going DPR projects in Texas.
- **San Jacinto River Waste Pits Superfund Site, Harris County, TX:** The Site includes of a set of impoundments built in the mid-1960s for disposal of paper mill pulp wastes containing dioxin. In 2008 the Site was added to the National Priorities List (NPL) and in 2009 EPA issued a Unilateral Administrative Order to International Paper Company and McGinnes Industrial Maintenance Corporation, the Potentially Responsible Parties for the Site, to conduct a Remedial Investigation and Feasibility Study. A Superfund time-critical removal action was completed in July of 2011 to place an armor rock cap to prevent the further release of dioxins into the environment. Completion of the Site investigation and assessment of cleanup alternatives is expected this summer. The Record of Decision, which selects the Site remedy, will follow in the fall of 2015. The community believes that the contaminated material should be removed from the San Jacinto River. The EPA co-leads a Site Community Advisory Committee, including the Texas Commission on Environmental Quality, Harris County, the Port of Houston, Houston Galveston Area Council, the Galveston Bay Foundation, and the Potentially Responsible Parties.
- **South Cavalcade Superfund Site:** The South Cavalcade Street Superfund Site (Site) is located approximately three miles north of downtown Houston, Texas. Koppers Company, Inc., now known as Beazer, operated a wood treating facility and a coal tar distillation plant from the 1940s to 1960s. These operations resulted in the Site soils and ground water being contaminated. Two areas of contaminated soil along the southeastern boundary and in the southwestern portion of the Site, capped in July 2000 as part of the remedial action for the soil, are currently being used for truck parking. The southern area of the Site is currently occupied by trucking firms, with much of the ground surface covered by pavement, buildings, or storage areas. The northern area of the site was purchased by a commercial entity in March 2014. The ground water, extracted and treated for 10 years, did not prove effective. Hence, EPA amended the ground water remedy for the Site in September 2014. Thirty ground water monitoring wells were installed in December 2014-January 2015 onsite and offsite in the residential areas in accordance with the amended remedy. Harris County Toll Road Authority is in the process of expanding the street adjacent to the Site on the south side and has plans to expand the toll road immediately west of the Site. The community has been very active and has raised concerns about past exposure and drinking water at the Site. Currently, there is no exposure from the contaminated soil at the Site because it is capped under concrete. The drinking water for the residents is supplied by the City of Houston and the source of this water is the Trinity River.
- **Texas Regional Haze:** On 12/16/14, EPA proposed an action that includes the control of sulfur

mainly in East Texas, emit thousands of tons of SO₂ (and other visibility impairing pollutants) that are transported over hundreds of kilometers into Oklahoma and other states. This action is projected to reduce the emission of SO₂ into Texas skies by approximately 230,000 tons of SO₂ per year, through the installation of SO₂ scrubbers, in order to improve visibility at National Parks and Wilderness areas located in Texas and Oklahoma. The original 60 day (30 day minimum) public comment period was extended another 60 days to 4/20/15. EPA is under a consent decree to finalize its decision by 9/4/15. EPA previously finalized an Oklahoma regional haze FIP on 12/28/11 to control 6 coal fired units in Oklahoma.

- **The Dallas-Fort Worth Area and Ozone Standard:** As a result of a Consent Decree (CD) negotiated last year with the Sierra Club, we are proposing to reclassify the DFW area to Severe under the 1997 ozone standard because the area did not meet the June 15, 2013, attainment date. Pursuant to the CD, the final rule to reclassify the DFW area must be signed no later than 180 days after the proposed rule is published in the Federal Register, unless the 1997 ozone standard is revoked before that time. If the 1997 ozone standard is revoked before the 180-day period ends, the rule to reclassify the DFW area as Severe under the 1997 ozone standard will not be finalized. The rule to revoke the 1997 ozone standard was released by OMB on January 30, 2015, thus should be finalized soon, and therefore, we do not expect to have to finalize the action to reclassify the DFW area. Texas has proposed a plan for meeting the 2008 ozone standard, which is due July 2015.
- **Exide Technologies, Frisco, TX:** In May 2012, TCEQ's revised State Implementation Plan (SIP) for the Frisco lead non-attainment area thrust the City of Frisco into the limelight and heightened community and media attention on the environmental concerns at the Exide Technologies battery recycling plant. The plant subsequently closed and the company filed for bankruptcy. Numerous multi-media concerns have been identified by EPA and TCEQ inspections since 2009, including metal contamination in soil and sediment both on and off-site. EPA, DOJ, TCEQ, Texas AG office, and the City of Frisco are working together to reach an agreement with Exide to address the environmental concerns at the site.
- **Corpus Christi Sanitary Sewer Overflows (SSOs):** Corpus Christi is a medium-sized city with a population of 305,215. The City's Wastewater Treatment Department manages and services approximately 92 wastewater lift stations and 6 wastewater treatment facilities. Corpus Christi has had over 4,000 SSO's in a 5 year period and had numerous effluent violations, mostly for pathogens, over the past several years. Region 6 referred the case to DOJ in August 2011. Negotiations with Corpus Christi, with a focus on proposed injunctive-relief provisions to resolve numerous SSO and effluent violations, are ongoing. Recent information from Corpus on the possibility of consolidating 5 of their 6 Wastewater Treatment Plants has temporarily slowed down the negotiations, as this information affects injunctive relief provisions.
- **City of Houston's violations due to Exceedances of Permit Limits and Sewer System Overflows (SSOs):** EPA and the State of Texas attempted to address the issues by administrative actions requiring the City to correct the violations. The City of Houston continued to violate significantly. In 2010, EPA referred the case to the DOJ for civil/judicial action. To date, EPA/DOJ are still in negotiations with the City to require it to address the violations.

- **Iowa Nutrient Reduction Strategy:** In May 2013 the Iowa Department of Agriculture and Land Stewardship and the Iowa Department of Natural Resources jointly issued the final Iowa Nutrient Reduction Strategy is a science and technology based framework to assess and reduce nutrients to Iowa waters. The strategy includes reducing nutrient loads from the largest wastewater treatment plants in combination with targeted conservation practices to reduce loads from non-point sources improving the effectiveness of current programs and increasing voluntary efforts. Implementation of the Nutrient Reduction Strategy continues. In January 2015 the Des Moines Water Works issued a Notice of Intent to Sue three counties in Iowa under the citizen suit provisions of the Clean Water Act. The Water Works notes that nutrient levels in two rivers that supply drinking water for 500,00 Iowans continue to increase due to discharges from tile drains into in to the Rivers. Their position is that the tile drains are point sources and should be permitted under the CWA.

MISSOURI (Director Sara Parker Pauley)

- **West Lake Landfill Superfund Site:** The West Lake Landfill Superfund Site located in Bridgeton, Missouri is a former landfill (sanitary, industrial waste, and demolition fill), and includes two areas where 8,700 tons of uranium ore processing residuals were mixed with approximately 38,000 tons of soil and used as cover for refuse in the landfill operations in the early 1970's. There continues to be a high level of public and political interest in EPA's current reevaluation of capping and excavation remedial alternatives. In addition, since 2010 a subsurface smoldering event (SSE) has occurred within the adjacent Bridgeton Former Sanitary Landfill. In 2013 the State of Missouri filed a lawsuit against Bridgeton Landfill, and is requiring the landfill to actively monitor to movement of the SSE. EPA Region 7 has been working with the PRPs to evaluate the feasibility of constructing a physical barrier between Operable Unit 1 and the Bridgeton Landfill to separate the SSE from radiologically-impacted material (RIM) at the Site. As part of this effort, the PRPs for the West Lake Site recently agreed to perform additional characterization to further define the extent of RIM located outside of the previously-defined boundary of the West Lake Site.
- **St. Johns Bayou/New Madrid Floodway Project:** The US Army Corps of Engineers proposed a \$170 million flood reduction and agricultural intensification project located in southeast Missouri entails closing a 1,500 foot gap in the Mississippi River Levee and constructing a pump station at the base of the New Madrid Floodway (NMF). This gap currently allows regular flows into the NMF, supporting wetlands and is the last remaining area in the State where the Mississippi River connects to its historic wetland floodplain. A significant majority of the Corps' project benefits and local support result from allowing agricultural intensification within the federally authorized NMF. Missouri's resource agencies continue to express strong reservations about the project. Specifically, the Missouri Department of Conservation has recommended that the NMF portion not be built. About 90 environmental and conservation organizations and over two dozen mayors, council members, state legislators and other local leaders from IL, MO and KY have expressed strong concerns with the project, including environmental justice issues in nearby communities associated with greater risk of flooding due to the project creating more obstacles to the floodway's use. Senator Roy Blunt and Representative Jason Smith (Mo.) have written in support of the project moving forward. The St. Johns Bayou Basin Drainage District Board of Directors and Mississippi County Consolidated Drainage District have also expressed support. EPA's comment letter on the Draft EIS rated the project/document "EU-2" (Environmentally Unsatisfactory – Insufficient Information) in Nov. 2013. EPA's concerns focused on the level of impacts, the extent to which less environmentally damaging alternatives have not been considered, and uncertainties about proposed compensatory mitigation.

COLORADO (Director Martha Rudolph)

- **Colorado Water Plan:** The draft Colorado Water Plan, released in December 2014, incorporates a number of elements, including storage and diversions, to address a projected shortage of water, primarily for municipal needs in the Denver metro area. EPA supports the State's efforts to plan for future water supply needs. However, water projects that use federal funding and/or need a federal permit will need to describe the anticipated impacts to the environment for the public and decision makers to understand. In addition, project proponents of water supply projects may need to develop and analyze alternatives that will provide the needed water and meet the requirements of any necessary permits.
- **Colorado Nutrient Water Quality Standards Submittal:** The Region received Colorado's nutrient water quality standards submittal in June of 2012 and it is currently under review by R8 and HQ. R8 expects to complete action in spring of 2015.
- **Oil and Gas Projects in Northwestern Colorado:** New and existing oil and gas projects are prevalent across much of Northwestern Colorado. EPA is working closely with State and Federal agency partners to understand and prevent impacts to the region's air and water resources while developing these energy resources.
- **BLM – Previously Issued Leases in Colorado EIS:** This EIS is re-analyzing 65 existing leases issued since 1993 in the White River National Forest (due to a 2007 Interior Board of Land Appeals decision that NEPA analysis was not completed properly prior to those leases being sold), including the 25 leases in the Thompson Divide area above Aspen that have been suspended through April 1, 2016. EPA is a cooperating agency. The White River National Forest (encompassing the area of the 65 existing leases) recently released their Oil and Gas Leasing FEIS, which removed 61,000 "high oil and gas potential" acres in the Thompson Divide area. Draft EIS expected late 2015. We are pleased to see the protective measures included in the White River National Forest FEIS, which proposes additional protections (no leasing) on sensitive acreage in the Thompson Divide area while allowing development in surrounding lands.

MONTANA (Director Tom Livers)

- **Bridger Poplar Pipeline Oil Spill:** On January 18th EPA received a report of 300 bbls of crude was discharged from the Bridger Poplar pipeline under the Yellowstone River near Glendive, Montana. EPA responded with an OSC and contractors to assess the situation. The river is frozen over and the oil was discharged beneath the ice, making observations and collecting samples extremely difficult. The public drinking water system in Glendive was impacted with oil entering the system. Water was provided to residents during the time the system was cleaned and flushed. Clean water is now provided to all users in the system and daily monitoring of the water intake is being done to ensure clean water is going into the system. EPA, Bridger Pipeline and the state continue to monitor conditions and recover oil from under the ice as possible and will monitor the situation through breakup of the ice. Downstream water intakes are being monitored and sampled as necessary.
- **Billings, Montana SO2 Nonattainment Area:** The Montana Department of Environmental Quality submitted a Clean Data Determination request to EPA Region 8 on January 16, 2015 regarding the 1-hour SO2 nonattainment area in part of Billings. This area was designated nonattainment in August

2013 based on 2009-2011 monitoring data. The 2012-2014 monitoring data demonstrates the area has attained the standard. This is well in advance of the October 2018 attainment date. Region 8 anticipates proposing an attainment determination based on the state's clean data in the next couple of months.

- **Court Remand of EPA's Approval of MT's Electrical Conductivity/Sodium Adsorption Ratio (EC/SAR) Water Quality Standards:** In 2009, EPA's approval of MT's EC/SAR water quality standards was remanded to the Agency. Region 8 has been addressing the court's directives and reviewing the scientific defensibility of MT's submission. We anticipate completion of our action in FY15.
- **Nutrient Water Quality Standards Submittal:** EPA received Montana's nutrient rule submission on August 15, 2014 that included a number of provisions related to nutrients including numeric criteria for phosphorus and nitrogen for Wadeable streams and multidischarge variance provisions. On December 16, 2014 EPA received a notice of intent (NOI) to sue filed by the Upper Missouri Waterkeepers under CWA § 505(b) for failure to perform the Agency's mandatory duty act on the standards within the statutory deadlines. The rulemaking package is undergoing review for Agency action to meet the NOI deadline of February 13, 2015.

NORTH DAKOTA (Chief Dave Glatt)

- **Blacktail Creek produced water spill:** On January 7th, Summit Midstream reported a discharge to Blacktail Creek of unknown or zero volume of produced water from a disposal pipeline. Subsequent reports raised the estimated discharge to 3,000,000 gallons of produced water, the largest spill reported in North Dakota. EPA has responded to the scene and is directing the recovery of oil from the creek associated with produced water and is providing technical assistance to the NDDOH in overseeing efforts to recover produced water. Full impacts of the spill are not known at this time due to winter conditions and ice on the creek and downstream river.
- **Regional Haze Reconsideration:** A final reconsideration rulemaking was signed by the Administrator on February 6, 2015 reaffirming our decision to approve the state of North Dakota's Regional Haze NOx Best Available Retrofit Technology (BART) determinations and emission limits for three coal-fired power units - Milton R. Young Station Units 1 and 2 and Leland Olds Station Unit 2. This rulemaking action was in response to a June 2012 Earthjustice petition to the Agency to reconsider our April 2012 decision to approve North Dakota's NOx BART determinations for selective non-catalytic reduction (SNCR).
- **Efforts to Develop Nutrient Reduction Strategy:** North Dakota continues to engage a diverse group of stakeholders to develop a statewide strategy to reduce nutrient pollution. Five workgroups are presently underway including: 1) Agriculture and nonpoint sources, 2) Municipal and industrial point sources, 3) Watershed prioritization, 4) Criteria development, and 5) Education and outreach.

SOUTH DAKOTA (Secretary Steve Priner)

- **Powertech's Proposed Dewey Burdock Uranium In-Situ Recovery (ISR) Site:** Later this year, the Region anticipates issuing draft Class III and V injection well area permits and a proposed aquifer exemption for uranium ISR activities at this site in southwestern South Dakota. There will be a 60 day public comment period and at least two public hearings held locally. These will be the first EPA-issued UIC permits for uranium ISR, nationwide. Powertech is also awaiting final decisions by the NRC's Atomic Safety Licensing Board and the SD DENR's water rights, large scale mining and

UTAH (Executive Director Amanda Smith)

- **Tier 3 Fuel:** Utah is very interested in early adoption of the Tier 3 fuel standards in the Salt Lake 5-county and Utah County PM2.5 non-attainment areas. Utah included language in its October 2014 proposed moderate area SIPs for the non-attainment areas that would enable area refineries to make changes in order to produce Tier 3 compliant fuel by obtaining permits for minor modifications. EPA recently released technical amendments to the Tier 3 rule that involve a wide range of corrections and minor adjustments to the regulations for different mobile source categories, but the amendments do not have a significant impact on Utah's interest in early adoption of Tier 3 fuels. EPA will continue to collaborate with Utah on addressing the moderate area SIP requirements for area refineries that intend to produce Tier 3 fuel.

WYOMING (Director Todd Parfitt)

- **EPA Grants to the Northern Arapaho and Eastern Shoshone Tribes on the Wind River Reservation:** In September 2014, the NAT unilaterally dissolved the Tribes' Joint Business Council (JBC), which provided management of the Tribes' joint programs and funding, including the Wind River Environmental Quality Commission (WREQC). In the absence of the JBC, EPA conditioned the award of FY 2015 grants on the Tribes agreeing on a joint management structure to ensure appropriate management of EPA funds. To date, the Tribes have not demonstrated to EPA progress toward a joint management structure. No FY 2015 EPA grant funds have been requested or disbursed to the Tribes. Through in-person meetings (most recently in late January 2015), phone calls and letters over the last 4 months, Region 8 has explained its position, assessed progress, and offered assistance to the Tribes. **(Internal information)** Region 8 is planning to send a letter to Tribes in February 2015 advising the Tribes that it will terminate 2015 funding if the Tribes do not agree on a joint management structure.
- **Statewide Use Attainability Analysis for Recreational Waters:** Wyoming developed a statewide UAA for recreation using a novel Geographic Information System (GIS) approach. Region 8 has worked closely with WDEQ and HQ for over five years while the UAA was being developed as R8's action will set a national precedent. On Dec. 8, 2014, WDEQ submitted the package to the EPA for action under the Clean Water Act (CWA). The Wyoming Outdoor Council (WOC) and other recreational stakeholders raised concerns regarding WDEQ's public involvement process for the UAA. The submittal is current under review in the Region.

ARIZONA (Director Henry Darwin)

- **Four Corners Power Plant:** EPA is finalizing a settlement agreement with Arizona Public Service (APS) and other co-owners to resolve violations of the Clean Air Act's (CAA) Prevention of Significant Deterioration (PSD) program at the Four Corners Power Plant (FCPP) located on the Navajo Nation near Shiprock, New Mexico. In 2011 EPA referred the PSD case against the FCPP co-owners to DOJ. Negotiations were complicated by ongoing promulgation of rules under the CAA's Regional Haze program to require installation of best available retrofit technology at FCPP, a complaint filed

against the FCPP co-owners by environmental groups alleging PSD violations, and Southern California Edison's attempt to sell its ownership in FCPP to APS. After several negotiation sessions and numerous draft settlement agreements, we expect to have a final settlement soon to require installation of selective catalytic reduction technology to control NOx emissions, increase in the efficiency of SO2 control technology, a civil penalty, and performance of environmental mitigation projects. EPA consulted on this enforcement with the Navajo Nation who appear to be satisfied with this tentative resolution. [ENFORCEMENT CONFIDENTIAL]

- **Rosemont Mine:** EPA gave an EU-3 rating to the US Forest Service's Draft EIS for the proposed ~5,000-acre open-pit Rosemont copper mine and the Final EIS in December 2013 did not address EPA's principal concerns (particularly water impacts). CEQ has convened interagency meetings to try to avoid the need for formal EPA referral. The NEPA process is now on hold as USFS and USFWS re-consult on ESA impacts. The Corps of Engineers is reviewing Rosemont's CWA 404 Mitigation Plan and coordinating with EPA. EPA is reviewing Arizona's CWA 401 water quality certification issued in Feb. Previous Ariz. governor publicly supported the project; Governor Ducey's position is unknown.

CALIFORNIA (Secretary Matt Rodriquez)

- **California UIC Program Review:** In 2011 EPA identified major deficiencies in the state's underground injection control program for oil and gas-related (Class II) wells and in 2012 found improper aquifer exemptions and injection wells that may have impacted potential drinking water sources. EPA directed the State to submit a Program Revision Plan by February 6, 2015 to bring the State's injection program into compliance with the SDWA by 2017. EPA and the State continue to pursue immediate action to shut down any injection wells that are found to be in close proximity to current drinking water supply wells.
- **Exide Technologies:** In 2014 EPA issued a Notice of Violation to Exide for excessive lead emissions. EPA's investigation, prompted by community concerns and ongoing investigations by state and local agencies, found that Exide violated federally enforceable lead emissions standards more than 30 times since September 2013. In August 2014, Exide received a federal grand jury subpoena seeking documents related to air emissions and materials transportation. EPA is working closely with state and local agencies to resolve compliance issues and address community health concerns, and the facility remains closed until it meets Air District requirements. Settlement negotiations are ongoing with Exide. [ENFORCEMENT CONFIDENTIAL]
- **PCBs in Schools:** As a result of PCB issues at Malibu High School, we are working with CalEPA to potentially develop PCB guidance for all schools in Calif. Discussions are underway with several school districts, including LA Unified School District, on what guidance will best meet a growing need to address this issue.
- **Bay-Delta Conservation Plan:** In 2014, EPA sent a NEPA comment letter but withheld an adverse rating on the NMFS, USFWS, and USBR draft EIS in expectation of a supplemental draft EIS. In late 2014, EPA met with the Calif. Department of Water Resources and federal agencies to discuss EPA's comments and a path forward on substantial outstanding issues. In January, EPA's Regional Administrator met with Governor Brown's Chief of Staff regarding our NEPA letter.
- **Drought:** The drought emergency of 2014 has galvanized new interest in water conservation, irrigation efficiency, wastewater recycling, groundwater replenishment, and potable re-use. EPA is working with all levels of government, tribes, and NGOs to expand and scale-up improved water management approaches, sustainable infrastructure, and water saving technologies. EPA is

identifying tools and incentives to address the immediate crisis while building long-term resiliency to future droughts and climate change, including loans and grants from the State Revolving Funds (SRF), EPA's WaterSense program and the Climate Change Adaptation Implementation Strategy to help communities plan for an uncertain water future. California is offering \$800 million in SRF reduced interest loans to advance water recycling projects through 2016.

HAWAII (Deputy Director – Vacant)

- **Red Hill Underground Fuel Storage Facility Release:** EPA, Hawaii DOH and the Navy are close to finalizing an Administrative Order on Consent to address last year's 27,000 gallon fuel release from Tank #5 at the Navy's Red Hill UST Facility near Pearl Harbor, the largest underground tank fuel storage facility in the world. This enforceable agreement will require the Navy to investigate and remediate the release, and evaluate and adopt improvements and retrofits to all the Red Hill Tanks to prevent future releases. [ENFORCEMENT CONFIDENTIAL]
- **Hawaii Drinking Water State Revolving Fund:** EPA issued a notice of non-compliance in 2014 to the Hawaii Department of Health (DOH) for failure to expend the funds in the State's Drinking Water State Revolving Fund (DWSRF) in a timely manner in conjunction with a LEAN-based study of the State's management of the DWSRF program that identified 39 recommended actions the State could take to reduce unliquidated obligations and improve financial management. EPA soon expects to approve DOH's recent Corrective Action Plan. Governor Ige addressed the subject of unspent federal funds in his 2015 state of the state speech: "... we can be more aggressive in seeking federal funds in a wide array of areas. Federal officials tell me there is significant money—about \$940 million—available to the state for the right projects, proposed for the right reasons and at the right time."

NEVADA (Administrator Colleen Cripps)

- **Anadarko/Kerr-McGee Settlement:** in Jan. EPA and DOJ announced the final \$5.15 billion settlement to resolve claims that the defendants fraudulently transferred assets in part to evade their liability for contamination at toxic sites around the country. Of this total, approximately \$4.4 billion will be disbursed for cleanups across the country including abandoned uranium mines in and around the Navajo Nation and perchlorate contamination in Lake Mead.
- **Nevada Department of Transportation:** EPA continues to move forward on enforcement against Nevada DOT for violations of its Municipal Separate Storm Sewer (MS4) Permit issued pursuant to the Clean Water Act. EPA MS4 enforcement is a National Enforcement Initiative. In 2013, EPA referred NDOT to DOJ for violations. Nevada Division of Environmental Protection is authorized to implement the NPDES program and joined with EPA as a co-plaintiff. In 2014, EPA conducted very limited field visits near the Carson City area and found that although NDOT has been working to improve its program and has committed funds towards that effort, there was on-going non-compliance at several sites – some of the same sites EPA visited in 2011. At subsequent meetings, EPA communicated we would be moving forward with enforcement. EPA's Regional Administrator has had discussions with Governor Sandoval and we expect to meet with NDOT again in March 2015 to discuss a draft enforcement agreement. [ENFORCEMENT CONFIDENTIAL]

AMERICAN SAMOA (Director Ameko Pato)

been chosen by EPA has chosen American Samoa as one of several communities in the region for EPA's "Making a Visible Difference in Communities" Project. EPA will work with American Samoa and other partner agencies to leverage resources to provide targeted technical assistance in areas such as climate change, renewable energy, drinking water, and wastewater infrastructure and service. Initial kick-off conference calls were held with American Samoa in January 2015.

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (Director Frank Rabauliman)

- **Commonwealth Utilities Corporation:** The U.S. has an ongoing court order against Commonwealth Utilities Corporation, the combined water and power utility in CNMI, for drinking water, wastewater, and used oil violations.

GUAM (Administrator Eric Palacios)

- **Guam and CNMI Military Relocation:** Department of Defense has scaled back its planned relocation of Marines and other personnel from Okinawa to Guam, but even the scaled back plans will result in impacts to Guam's out-of-compliance wastewater system and to the Northern Guam Lens Aquifer – a designated Sole-Source aquifer. EPA is a cooperating agency for the NEPA process and provided comments on the Draft Supplemental EIS in June 2014. The Final SEIS is expected to be released in early 2015.
- **Guam Waterworks Authority:** U.S. has an ongoing court order against the Guam Waterworks Authority and the Government of Guam for drinking water and wastewater violations. The island's two largest wastewater treatment plants are now required to provide secondary treatment. Governor Calvo is concerned about the economic impacts of EPA actions on local citizens. However, at one of the two facilities - the Northern District Wastewater Treatment Plant - Department of Defense and EPA are collaborating on the preparation of a feasibility study for upgrades to secondary treatment utilizing funds provided by DOD.

ALASKA (Commissioner Larry Hartig)

- **State Budget:** Due to significant budget shortfalls based on crude oil price projections, the State of Alaska anticipates a significant gap between spending and projected revenue for the SFY16 budget. The Department of Environmental Conservation will lose approximately 9 percent of its general fund spending and 22 of its 557 full time positions. The State of Alaska income is closely tied to oil revenue, with over 80% of the general fund dependent on oil taxes.
- **Alaska LNG Project:** Project applicants are ExxonMobil, TransCanada, BP, ConocoPhillips, and the State of Alaska. This is a large-scale LNG export project, projected at \$45 to \$65 billion, the largest single investment in Alaska history. Scoping for the project has been initiated, and a complete project application is anticipated to go to FERC in September 2016, with construction anticipated to start in 2019. The project includes:
 - A gas pipeline from Point Thomson gas field to Prudhoe Bay (60 miles).
 - Gas treatment plant at Prudhoe Bay that would process 3.4 billion cubic feet of gas per day.

- About 800 miles of gas pipeline from Prudhoe Bay to Nikiski, including eight compressor stations along the route.
- The liquefaction plant, storage tanks and marine terminal at Nikiski in Cook Inlet.
- **Transboundary Mining:** EPA Seattle and AOO continue to work with the State of Alaska and Canadian and Provincial governments to address concerns expressed by Alaskan citizens, tribal governments and congressional representatives on potential transport of mining wastes and contaminants across the U.S. border, particularly in SE Alaska and the NW British Columbia region. With the release of the summary report for the Mount Polley tailings impoundment failure, this issue remains significant within and beyond the State of Alaska. Concerns in SE Alaska cover the Taku, Stikine and Unuk Rivers. This topic will be discussed during the Alaska Forum on the Environment the week of February 9.

IDAHO (Director Curt Fransen and Deputy Director Jess Byrne)

- **NPDES Authorization:** The 2014 Idaho legislature unanimously passed a statute (HB406) that sets out the changes to Idaho Code that would be necessary to pursue Clean Water Act NPDES Authorization for the State of Idaho. In November 2014, the State initiated a negotiated rulemaking meeting to engage stakeholders in key issues (e.g. statute changes, regulation adoption, and fee structures) that need to be addressed prior to submission of a formal application to EPA. The target date for the application is September 2016. EPA Region 10 is working collaboratively with Idaho on this massive effort. Note that Idaho stakeholders are approaching their Congressional representatives to seek additional federal funding to support Idaho's authorization efforts.
- **Federalism and Public Lands Management:** In 2014, the Idaho legislature and Governor Otter focused on a wide variety of issues related to transferring ownership and/or management of federal lands (65% of Idaho) to the state. This effort was largely driven by controversial and difficult challenges related to catastrophic wildfire and management of wildlife, including wolves and sage grouse. Idaho's legislature commissioned a study of the costs to the state of taking over management of federal land, which concluded that 8 of the 9 scenarios examined would cost state taxpayers. EPA Region 10 expects that this issue will continue to reverberate in Idaho, although the political energy for this approach appears diminished.
- **111(d)/Clean Energy Rule:** The Director of the Governor's Office of Energy Resources recently argued that Idaho should not be subject to the rule since there are no coal-producing power plants in Idaho. EPA Region 10 is not aware of any statements made by Governor Otter about the rule. During the current legislative session, the Idaho DEQ anticipates that it will be asked to provide briefings to legislators on how Idaho would be affected by the rule and implementation issues.

OREGON (Director Dick Pedersen)

- **Oregon CZARA Coastal Nonpoint Pollution Control Program:** On January 30, EPA and NOAA announced our joint disapproval of Oregon's Coastal Nonpoint Program. The state program is required under the Coastal Zone Act Reauthorization Amendments (CZARA), which also provides joint program approval authority to EPA and NOAA. This action was taken as a result of a 2010 settlement agreement with Northwest Environmental Advocates, which sued EPA and NOAA, and deficiencies in Oregon's forestry program. The decision sets a precedent because it is the first time the agencies have disapproved a state's Coastal Nonpoint Program. EPA and NOAA are working closely with Oregon to provide a pathway to approval of the State's program by 2016 and avoid or

minimize financial consequences of this disapproval. Both federal agencies, as well as the governor's office, are reaching out to Oregon's congressional delegation to manage outcomes.

- **Columbia River Treaty Review:** Centered in Portland, Oregon, the NW Regional Federal Working Group is supplying feedback to the Sub-Interagency Policy Committee to help define negotiating requests to Canada. The related matrix summary addresses agreed upon details for ecosystem-based function, water supply, flood risk management, hydropower, and adaptive management.
- **Portland Harbor:** Work on this complex, 11-mile stretch of the Willamette River is progressing, including challenging work by the State of Oregon to control sources of ongoing pollution to the site. EPA continues to oversee investigation and analysis of cleanup alternatives, has committed to enhanced communications at mid and senior Agency management levels, and is also committed to working with our partners and six tribal governments during this project. We're working with the Lower Willamette Group to finalize the remedial investigation and the feasibility study, which evaluates cleanup alternatives for the site, with completion of a proposed cleanup plan anticipated in 2016.
- **Oregon LNG Terminal:** Senator John Barrasso (R-Wyoming) and thirteen co-signing senators and representatives from the natural gas producing states of Utah, Colorado, and Wyoming sent a letter in mid-January 2015 to the Federal Energy Regulatory Commission, urging them to approve the Jordan Cove natural gas export terminal in Oregon. During the first week of February, Senator Barrasso introduced a bill that would set a 45-day limit on the DOE's national interest determination process. Oregon Governor Kitzhaber appears to be trying to balance his focus on reducing greenhouse gas emissions (the proposed project might be the biggest emitter in the state) with a desire to boost the economy of this depressed area of the state, and has thus remained more or less neutral on the project.

WASHINGTON (Director Maia Bellon)

No Hot Topics